

Bryan Austin

Advisor: Dr. Daniel Jacoby, Dr. Bruce Kochis

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Running Head: Labor Solidarity or Union Democracy

Labor Solidarity or Union Democracy: A Different Lens on Why Private Sector Unions are Struggling to Survive in the United States

Bryan O. Austin

University of Washington, Bothell

Abstract:

Comparison of the constitutional provisions of the top ten United States labor unions provides understanding of the formal internal union policy mechanisms available to navigate between union locals and their internationals' interests. In conjunction with a critical review of the history of labor since the passage of the National Labor Relation Act in 1935, my examination of intra-union provisions demonstrates that the familiar rallying calls for labor solidarity and union democracy do not always work well together and may actually be contributing to the decline in union participation. According to the Bureau of Labor Statistics, the private sector union membership rate fell to 6.6% in the United States in 2014. The study is motivated by a concern to understand how and why the recent collective bargaining agreement (CBA) between The Boeing Company and the IAMAW created major divisions between District 751 and its international that are likely to affect unions ability to recruit new members and preserve current membership through support and collective bargaining.

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Labor Solidarity or Union Democracy

Keywords: Solidarity, Union Democracy

Introduction:

The private sector labor movement in the United States appears nearly on the brink of extinction. According to the book *What Unions No Longer Do* by Associate Professor of Sociology Jake Rosenfeld of the University of Washington, “private-sector unionization rates nearly halved between 1990 and 2009” (Rosenfeld, 2014). According to the *Bureau of Labor Statistics* private-sector union membership rate fell from 7.9% in 2004 to only 6.6% in 2014 (Bureau of Labor Statistics, 2015). Several sociologists believe that the decline in union militancy and control is part of the natural progression of industrial or postindustrial society. They argue that “as workers become more integrated into a homogenized middle class, their militancy and their organizations of struggle decline. All of this is the natural development of capitalism” (Goldfield, 1987). However, labor scholars are in general agreement that ongoing trends in the economy, the practice of outsourcing jobs to non-union workers, and growing political and ideological resistance to unions contribute to diminished union participation (Rosenberg, 2006). Not excluding other major explanations of technology, capital mobility, employer hostility and the rise labor bureaucracy, much of the data surrounding 21st century’s labor decline focuses on the shift in towards increasing global labor market competition, as well as complacency among union leaders in the face of Americas changing economic environment. Given increased interest in unionism in the United States (Rosenfeld, 2014), it is surprising that

so little research has actually been conducted on the formal institutional structures of the Union as an organization that distributes or constricts power among the different elements within unions such as district, local or other subordinate affiliate bodies. The familiar rallying calls for solidarity and union democracy often invoke confusion, if not outright internal organizational conflict between rank-and-file and union leadership, these familiar concepts do not work well together. My research will demonstrate how calls for solidarity relative to cries for union democracy may have contributed to the decline in union popularity and worker participation.

Purpose Statement

The study is motivated, in part, by a concern to understand how and why the recent collective bargaining agreement (CBA) between The Boeing Company and the International Association of Machinist and Aerospace Workers (IAMAW) created major divisions between District 751 and its international that are likely to affect unions ability to recruit new members and preserve current membership through support and collective bargaining. This has led me to my research question: Do the formal internal union policy mechanisms available to navigate between union locals and their international's interests hinder the recruitment of new members or the retention of current membership?

The study of Union structure is important for several reasons. First, it can provide critical information as to what are the legal responsibilities of the local, district and or national branches of the organization. Second, it can better explain how or when does a national branch have the right to trump district or local branches during times of contract negotiations. Third,

understanding how power is distributed within a union organization has consequences for labor solidarity and union democracy as a whole. The objective of this paper is to examine the structure of the constitutions of the top ten United States unions [based on membership] to better understand how they play a major factor in a union's ability to recruit new members through membership drives and or preserve current membership through support and collective bargaining.

Literature Review:

Historically, labor unions have succeeded in creating a space for workers to bargain collectively with their employer for higher wages, equality in the work place, health insurance, paid sick leave, a safe and productive work environment and overall improvements in the standard of living. Yet today, unions are struggling to maintain the benefits that they have won throughout their years of collective bargaining. In many cases union leaders are taking a conciliatory road with regards to employer's demands simply to hold on to the membership base they still have. It is becoming increasingly more difficult for rank-and-file members who are being forced to accept large cuts in benefits, simply to save their jobs, to maintain a solidarity posture which has been the central premise of the labor movement since its inception. Labor organizations are by nature a political body that strives to bring dissident groups together to stand against a common enemy. However, the choices being made by some of today's labor leaders may actually be creating the kinds of groups they once rallied together?

In her book *We are the union: Unionism and dissent at Boeing*, Dana Cloud (2011) examines three reform groups to demonstrate how members negotiate meaning, identity, and

control between and among employer, union, and union faction. The argument of the book is laid out in a critique of traditional American union leadership as pro-business and precariously invested in collaboration with management. The main claim of this study is that reform groups agitating for greater union democracy, accountability, and militancy are crucial to the fight to restore the power of unions.

A decade earlier Seymour Martin Lipset and Ivan Katchanovski (2001) wrote an article for the Journal of Labor Research *The future of Private Sector Unions in the U.S.*, identifying what they believed were the pitfalls of labor's woes. The authors discuss what they believe are the major sources of the decline of private sector unionism in the U.S. beginning with the decline of manufacturing blue-collar jobs, a rapid expansion of women in the workplace after WW II; Gladys Dickason explains in her article *Women in Labor Unions*, "In 1940 only one out of every four women wage earners worked in manufacturing industries; by 1945 the proportion had risen to one out of three" (Dickason, 1947), and the technological advances in manufacturing such as automation and greater efficiencies on the assembly-lines. Lipset and Katchanovski also suggest that the shift in American values after WW II from social collectivist values to more *laissez-faire* individualistic values has had the greatest impact on U.S. unionism. Using a structural analysis to view the U.S. workforce the authors of this article suggest that a more libertarian and individualistic American values system has and will continue to hamper the efforts to rebuild the strength of private sector unionism.

Dimick (2010) argues that labor law has a direct impact on union democracy. In a comparative study of U.S. vs Britain union democracy, Dimick demonstrates how labor laws in the United States restricts employees from forming workplace associations and promotes

Union Bureaucracies. This comparison points out that union democracy and successful organizing are essential for one another. And, that union members themselves can be obstacles in the effort of revitalization however, he suggest that this kind of behavior is highly cultural and is a learned response to conditions of bureaucratic and undemocratic unions. The purpose of Dimick's article is to demonstrate that the present configuration of labor law is likely one that is extremely unfavorable to the revitalization and transformation that unions must undertake to organize on a serious scale, and that certain changes will be more than likely necessary if the labor movement wishes to once again become a vibrant and important part of our economic and political landscape.

Solidarity:

In the early periods of the 1935 National Labor Relations Act (NLRA) many American workers in the private sector welcomed the protective environment that allowed them to participate in collective action free from company interference or bullying and to be able to bargain as a group for better working conditions and benefits. The NLRA was a major contributor to the success of the labor movement during the early period of 1935 – 1953. As a result the union movement expanded rapidly and private sector union density grew to its' peak of 35.7% by 1953 (Wallace, Fullerton and Gurbuz, 2008). A key element of labor's successful mobilization involved rising militancy and the calls of *solidarity*

According to the online Oxford Dictionaries solidarity requires? "Unity or agreement of feelings or action, especially among individuals with a common interest; mutual support within a group" (Oxford, 2015). Labor Solidarity has evolved to be understood by many as the

unification of individual workers under the basis of shared interests and/or grievances to create change for all workers “An injury to one is an injury to all”, IWW slogan (Coates, 1905). As unions continued to expand, union militancy sometimes got in the way of production and profits through mechanisms such as secondary boycotts, strikes, sit-ins, and slowdowns. Employers responded by demanding that the government step in and provide them some protection.

In 1947 the Taft—Hartley Act was passed and was supposed to balance the relationship between labor and capital by allowing employees the right to choose to be members of a union or not (“right-to-work”). However, union leaders believed that along with the right to work clause and other provisions written into the bill, Taft-Hartley acted to divide rank-and-file. The only way unions could force individuals to participate was through security agreements known as a ‘union shop agreement’ between the employer and union. In this type of agreement an employee could be required to join the union as a condition of employment. Having the ability to choose is problematic when it comes to needing to act in solidarity against an employer because it allows for what is known as a ‘free rider condition’. In other words, an employee who chose not to be a member of the union could still benefit from collective bargaining agreements won by paying union members. The Act also charged that employees were required to bargain in good faith in the same manner that employers were required through the Wagner Act. Perhaps the greatest balancing provision of the act was that unions could no longer participate in secondary boycotts (NLRB, 2015). Finally the Act also provided a clause that restricted unions from forcing an employer to discriminate against employees for exercising their section 7 rights (employee’s rights) provided by the Wagner Act.

Union Democracy

The Taft—Hartley Act was also key to securing *Union Democracy*. It did this by guaranteeing workers the right to participate in or refrain from participating in labor organizing activities. Worker's right not to join a union put greater pressure on their organizations to be more representative of their members interests, this was especially important for dissident groups such as African Americans, Chicano, Asian, and women. The Taft-Hartley Act gave them greater protection if they wished to avoid or oppose union organizations and activities that failed to represent them equally. In theory union democracy can be understood as a mechanism used to create competition for member votes by different political factions within the union. However, union Democracy became a tool to divide members into fighting factions thus breaking down union solidarity. In an Ideal world, union democracy suggests a type of union governance that highlights member's preferences and gives members significant power concerning the course of the union. On the other hand many union constitutions act to concentrate union bureaucracy thus limiting the power of union members. The effectiveness of union democracy can then be assessed by the union's awareness to its members' visions. While democratic practices within a union do not automatically guarantee or result in union democracy, it is important to examine whether those practices provide the elements of significant participation and impartiality.

Prior to 1959 there were no federal requirements requiring unions to hold leadership elections, and so many unions did not. As complaints of corruption and racketeering began piling up, congress felt it needed to once again get involved to right the ship of labor and it did so by passing the Landrum-Griffin Act. The "Landrum-Griffin Act, formally known as the Labor-

Management Reporting and Disclosure Act (1959) was the legislative response to widespread publicity about corruption and autocratic methods in certain American labor unions during the 1950s. Even though the AFL-CIO (American Federation of Labor–Congress of Industrial Organizations) expelled three of the worst offenders (the Teamsters, the Bakery and Confectionery Workers, and the Laundry Workers Union), President Dwight D. Eisenhower and the McClellan committee, which had investigated ties between labor and organized crime, insisted on a law to make internal union affairs more transparent and democratic.” (Britannica.com, 2015). Among other things this act set standards for electing officers to positions of power within a labor organization and prevented the misuse of trusteeships by parent labor organizations. A trusteeship allows a parent organization to take control of a subordinate group within the organization if it feels that the subordinate group is misrepresenting the greater organization or if it believes that the subordinate group is in misuse of its finances. According to the United States DOL section 3(h) of the LMDRA defines a “Trusteeship” as “any receivership, trusteeship, or other method of supervision or control whereby a labor organization suspends the autonomy otherwise available to a subordinate body under its constitution or bylaws” (DOL, 2015).

During WWII while many American men were out defending our country and our allies, employers were struggling to find workers to fill the vacancies that were left behind. Women, immigrants, and other minority groups entered the labor force in multitudes and soon became the newest members among the rank-and-file (Lipset and Katchanovski, 2001). This increase in diversity created new problems for labor organizers seeking solidarity. According to Professor Daniel Jacoby, employers often isolated their diverse labor force both occupationally and

physically. These kinds of segregations made it easier for well-organized groups to gain better work. Such variances in treatment gave rise to inter-group conflicts that undermined labor solidarity (Jacoby, 1998).

Labor Conflict:

The fear of a shutdown, sit-in, lock out or even a long fought out public battle such as a strike for better working conditions and higher pay pushes business owners and business managers to try and quickly find a solution to keeping their employees satisfied that their grievances such as work place safety, hours, and pay were being addressed. Well organized groups of workers were generally more successful at getting their grievances addressed than those workers who were less organized and who belonged to smaller employers. As unionism continued to grow and local unions began forming larger labor conglomerates, leadership's need to speak and act with one voice began to take precedence over the needs of smaller dissident groups of workers and their concerns over equality and fairness in the work place.

Historically, workers formed local union shops to deal with their direct employers, however, to have a powerful and effective voice, many locals would join larger organizations known as a national or international labor union. To receive the assistance of the larger labor organization local unions had to relinquish much of their autonomy to the parent group. This is often done by agreeing to follow principles that are set within the parent organization's constitution and bylaws. When several locals within a certain geographical area sometimes they would be combined to form larger district lodges. District and local union shops were required

to submit its own constitution and bylaws to the parent organizations for approval. This approval process allowed for a tighter grip on these subordinate groups.

Naturally some local unions began to recognize that the leadership of the parent organization didn't always agree or support the visions of the local group. In fact, if the need of the local group did not fall in line with the goals of the larger organization, conflict between the two groups would occur. If a national felt that the conflict was escalating out of control the leadership of the national would often impose a trusteeship to take control of the local. As internal conflict became more frequent between locals and their national organization, abuses and misuse of trusteeships became more frequent. Locals had no way to defend themselves against illegitimate take overs.

Many labor leaders argued that the form of democracy provided by the LMRDA did not support the idea of 'labor solidarity' and under this form of control union democracy does not allow for greater autonomy by local groups. In fact, I would agree that this limited form of union democracy provided by the law actually restricts collectivism and promotes the concentration of power to a smaller number of people. This follows what Robert Michels called the *Iron Law of Oligarchy*. Michels argued that "organizational oligarchy resulted, most fundamentally, from the imperatives of modern organization: competent leadership, centralized authority, and the division of tasks within a professional bureaucracy. These organizational imperatives necessarily gave rise to a set of leaders whose superior knowledge, skills, and status, when combined with their hierarchical control of key organizational resources such as internal communications and training, would allow them to dominate the broader membership" (Britannica.com, 2015).

In today's anti-union environment in the United States an increasing number of unions in the private sector are struggling to maintain their membership base. With labor policies created nearly seventy years ago still in place at the federal level and little chance of getting support for a more modern labor policy from either federal or state lawmakers or from the business community, many unions are making difficult and often poor choices in trying to increase membership. These choices often result in extreme concessions and take-a-ways from union members and non-union workers. It may well be equally important to consider, in so far as, the relationship between labor and business goes, that "many important aspect of the employer-employee relationship have, over time, been confined by laws and regulations [at the Federal, State and Local levels] that apply to all workers, not just union members" (Bennett & Taylor, 2001). While many discussions exist concerning unions, few people consider the kinds of burdens that can turn the various union factions against one another. In the past, successful unions have been able to unite workers by adopting broad programs that still allowed for local adaptations that did not undermine the greater union establishment.

To avoid costly delays and disruption to the production process by striking union members, leaders of The Boeing Company and the IAM International, have, in the last two contract renewals, held secret negotiations prior to the ending of the current contract; A tactic that has essentially taken union members out of the collective bargaining process while also removing the ability for union workers to strike. In past history the strike has proven a powerful tool in gaining decent benefits such as a defined pension plan, low healthcare premiums, cost of living adjustments and a decent living wage.

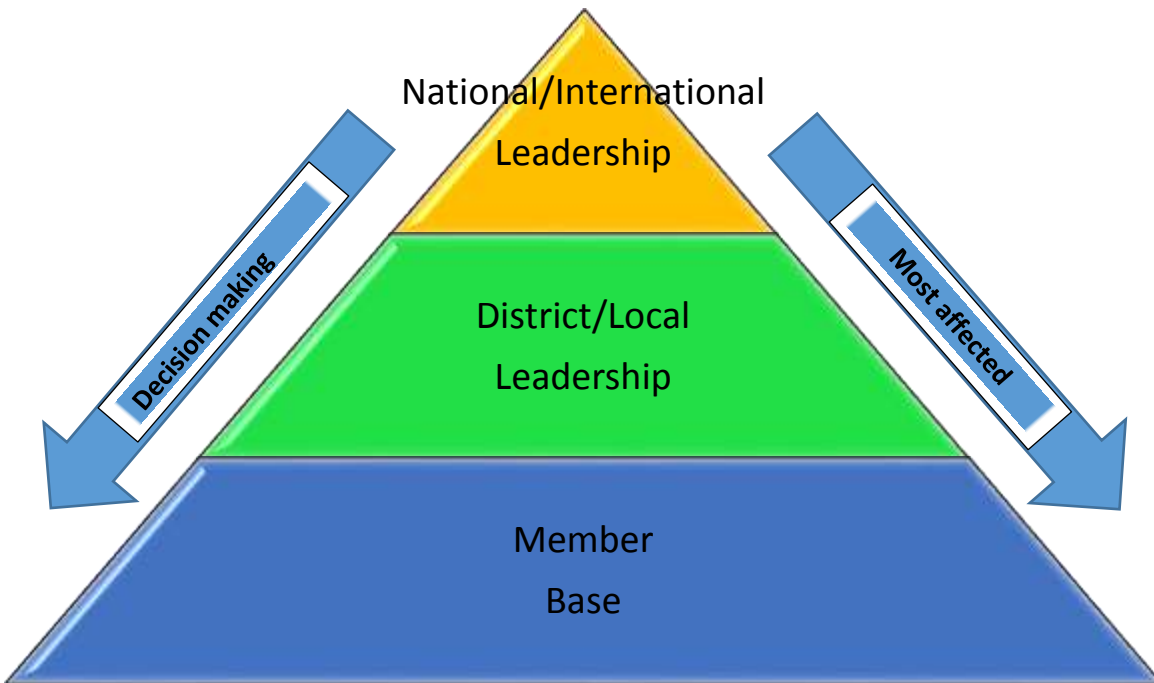
In 2011 the IAM and The Boeing Company approached local 751 rank-and-file with what was deemed as a contract extension, though it occurred prior to the 2014 contract negotiation period. The extension would essentially leave the core benefits in place and secured work on the 737 MAX for Washington's Puget Sound region until the year 2016. That extension involved minor changes that did not threaten the conditions that IAM members have grown accustomed to. However, the extension contained enough ambiguity that it should have raised a red flag of things to come.

At the end of 2013 and the beginning of 2014 The Boeing Company, and this time the IAM international headquarters forced local 751 union members to vote on a completely new contract. At this time union members were asked to make deep concessions in every area of their current benefits package. This included doing away with the defined pension plan and putting in place a contribution 401k plan, increasing the time it would take to reach max out on pay, increasing healthcare cost, changing the general wage increase and the list goes on. All these concessions served to guarantee that Boeing's new aircraft (the 777X) would mostly be built at the Everett Washington plant and the surrounding Puget Sound area. Boeing and their customers would see no possible disruption to production until 2024. It also promised that nearly 4000 new jobs would be created by the year 2020, many of which would be IAM represented positions.

Many of the rank-and-file believed that the IAM international sold them out simply to increase its membership base. This event has divided many union members and local union representatives. Many veterans of the union believe that these events have all but killed the union. The local IAM 751 are now focused on fighting with the International office and many

new and young employees are caught in the middle, giving them a bad experience of union participation which in the end I feel will turn many people away from wanting to remain involved. I had always believed that a union was a bottom-up organization but my personal experience indicates that it, like any business, has a top-down power structure.

Figure 1. Power distribution in labor organizations



After this event I began to read the constitution of the IAMAW and was really shocked at how restrictive the language was. I wondered if other unions had the same language and whether those provisions made any difference to the number of workers they represented.

Using the web, I searched for a list of the top unions in the United States. From that list I looked up and read each of their constitutions. As I was reading I saw some commonalities as well as dissimilarities.

Method:

The method for my research is a qualitative, comparative content analysis of the constitutions of the ten largest unions in the United States, based on membership density or active membership, as of 2011. The content of any constitution should function as the basis of establishing a governing body's priorities. In her article, *What belongs in a Constitution?* Ruth Gavison states that all constitutions must include institutional arrangements. In principle constitutions should specify their modes of amendments and enforcement and their ideologies should only be included if they are widely shared (Gavison, 2002).

Figure 2. The 10 Largest Unions by Membership

1. National Education Association (NEA)	3,200,000
2. Service Employees International Union (SEIU)	2,100,000
3. American Federation of Teachers (AFT)	1,500,000
4. International Brotherhood of Teamsters (IBT)	1,400,000
5. American Federation of State, County, and Municipal Employees (AFSCME)	1,300,000
6. United Food and Commercial Workers International Union (AFCW)	1,300,000
7. United Steel, Paper and Forestry, Rubber, Manufacturing, Energy Allied Industrial and Service Workers International Union (USW)	1,200,000
8. United Automobile, Aerospace and Agricultural implement Workers of America (UAW)	990,000
9. International Association of Machinists and Aerospace Workers (IAMAW)	720,000
10. International Brotherhood of Electrical Workers (IBEW)	<u>675,000</u>
Total:	14,385,000

<http://yourbusiness.azcentral.com/top-10-labor-unions-4190.html>

In comparing the constitutional provisions among the top ten United States labor unions, I hope to demonstrate that the familiar rallying calls for labor solidarity and union democracy do not always work well together and may actually be contributing to the decline in union participation. The comparison will provide a better understanding of the formal internal union policy mechanisms available to navigate between local unions and its members and their international's interests. I chose five provisions to compare:

1. Do local shops have autonomy insofar that they are able to operate on behalf of their members without interference from the parent group?
2. Are local shops able to govern themselves in areas of grievance resolutions, recruiting, and information dissemination?
3. Are local shops able to enter into collective bargaining talks and or ratification votes without oversight by the parent organization?
4. Do the national/international unions' constitutions contain provisions allowing them to take control of a subordinate body?
5. How are constitutions and bylaws waited throughout the organization?

I began my research by reading over each of the ten constitutions which were found through an on-line search. I noticed early on that each constitution was structured differently and that different language was used to define, describe, and express meaning of the provisions within the constitutions. In order to perform a more accurate comparison of the constitutions I first had to perform a word search to find "like meaning terminology", for example three different words are used to describe the taking over of a subordinate group who is believed to be operating against principals contained within the constitutions,

they are “trusteeship, administratorship, and supervise”. I provided an example of my word search in the appendix. I then crossed check to ensure that the language chosen was describing the same action across each of the constitutions.

One limitation inherent of this research design is that I did not have the resources to do a rater reliability check to verify whether another observer would code things the same way. Another limitation of this study is that the constitutions found through web search may have not provided the most current and or complete copy of each of the constitutions.

Findings:

Reading the excerpts for each of the constitutions, one begins to get a sense of just how restrictive these constitutional mechanisms really are. All these constitutions are supposedly designed to allow the International/national unions’ provisions and powers to grow the organization, but history shows that this is not the case. My examination of these constitutions has shown that it may actually be the restrictive nature of these parent organizations which are actually the reason for the decline in membership as well as inhibiting the recruitment of new members. My examination of the four intra-union provisions did not demonstrate that the familiar rallying calls for labor solidarity, albeit aspirational more than practical, or union democracy had any impact on union density.

The formal constitutional structure of these ten unions do not vary in such a degree that it would suggest that adding more democratic language would allow for greater membership density. The SEIU and the IAMAW although very similar in constitutional structure (see table A) fall on opposite ends of the density scale. This is, I believe, because the SEIU has a large

population of public sector workers as well they have a very diverse rank-and-file membership base. The AFT and the AFSCME seem very membership oriented yet they do not dominate in the area of recruiting new members. They both are made up of public sector rank-and-file.

The following chart exhibits how unions promote solidarity and/or democracy through their introductions or preambles (see appendix for details). However, it is important to note that preambles and introductions are often written to be intentionally ambiguous and aspirational such that it is difficult to make assertions about the operational protocols of the unions.

Figure 2. Commitments to Democracy or Solidarity in Preamble of Union Constitutions

Union	PRE-AMBLE
NEA	Solidarity
SEIU	Solidarity
AFT	Neither
IBT	Both
AFSCME	Democracy
UFCW	Solidarity
USW	Solidarity
UAW	Solidarity
IAMAW	Solidarity
IBEW	Solidarity

Below are three examples of how preambles are used differently to express solidarity or democracy. The SEIU has all but completely credited organized labor as the means in which working people have been able to improve their conditions, the IBT shares the ideas of solidarity and democracy and, the UAW focuses heavily on democracy as a means of improving workers quandaries.

SEIU – Preamble

“As almost every improvement in the condition of working people has been accomplished by the efforts of organized labor and as the welfare of wage, salary, and professional workers can best be protected and advanced by their united action in one International Union, we have organized the Service Employees International Union and have adopted the following Constitution:”

IBT – Preamble

“As the local unions must reflect the interests of their members, so too must the International Union be responsive to the needs of the locals which brought it into existence [solidarity]. The local unions and the International recognize that the interests of the membership are at the core of their relationship. We reaffirm our belief that only through a strong democratically accountable Union can workers be protected and prosper and only with the allegiance of its members and the mutual support of united labor organizations can the Union survive. [Democracy]”

UAW – Preamble

“We hold these truths to be self-evident; expressive of the ideals and hopes of the workers who come under the jurisdiction of this INTERNATIONAL UNION, UNITED AUTOMOBILE, AEROSPACE AND AGRICULTURAL IMPLEMENT WORKERS OF AMERICA (UAW): "The precepts of democracy require that workers through their union participate meaningfully in making decisions affecting their welfare and that of the communities in which they live. Therefore, the UAW has the duty and responsibility to promote real and meaningful participatory democracy through its members and their families, so that free people and their institutions may be heard in the councils of government and so that officeholders are guided by principle alone”

As demonstrated above, each of the constitutions I examined stipulate a cooperative and united stance against employer aggression and oppression, as well as the betterment of living standards for its members and all workers. However, out of the ten union constitutions examined in this study only one promoted *autonomy* for its locals and/or affiliates, five unions did not address autonomy at all and, two where restrictive and or vague about subordinate groups autonomy.

Figure 3. Provisions on Local Autonomy in Union Constitutions

Union	AUTONOMY
NEA	Not Addressed

SEIU	Not Addressed
AFT	Not Addressed
IBT	Promotes
AFSCME	Not Addressed
UFCW	Vague
USW	Vague
UAW	Restricts
IAMAW	Not Addressed
IBEW	Restricts

(For subordinate groups)

In Figure 3 constitutional provision that mention union autonomy are categorized. Not only do the international/national unions not promote autonomy among their subordinate groups they also either control or share control of the *governance* and *jurisdiction* of the subordinate groups. Many of the parent organizations have and maintain the ability to control their subordinate groups as they sees fit for what they believe achieves the betterment of the international/national organization as a whole. Where subordinate groups are given freedom to write their own constitutions they are still required to be revised and approved by the parent organization. The real powers granted by these constitutions are limited to leadership within the parent organization. Limited autonomy is given to subordinate groups mainly for disseminating the international/national organizations’ information, collecting dues and educating members on how to be better union members.

Figure 4. Provisions on Local Autonomy over Governance Jurisdiction

Union	GOVERNANCE/ JURISDICTION
NEA	Shared
SEIU	Controlled
AFT	Shared
IBT	Not Addressed
AFSCME	Controlled
UFCW	Controlled
USW	Shared

UAW	Controlled
IAMAW	Controlled
IBEW	Shared

Figure 4 characterizes union constitution with respect to the degree that local union autonomy can be overridden by its international. The provisions mentioned below highlight some of the significant differences that exist among union constitutions.

SEIU

Section 2(a). The International Union shall have jurisdiction over the Local Unions and their members and over all affiliated bodies. (p. 4)

AFT

The executive council shall have power to allocate and define and, from time to time, redefine and reallocate the jurisdictions within which locals may exercise their jurisdictions. In doing so, the executive council shall be guided by the primary purpose of the American Federation of Teachers, which is to organize teachers and other workers into strong, effective unions for the purpose of achieving and engaging in collective bargaining. (p. 5)

UAW

The International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), shall take in and hold jurisdiction over all employees in workplaces engaged in the manufacture of parts (including tools, dies, etc.), and the assembly of these parts into farm, automobile, automotive propelled products, aerospace and agricultural implements, including employees engaged in office work, sales, distribution and maintenance thereof.

Its jurisdiction shall also encompass service, technical, office and/or professional workplaces, whether public or private, and gaming establishments and others as the International Executive Board shall decide. The jurisdiction of this International Union shall be full and final. (p. 7)

In the case of local unions being allowed to act in its own best interest and that of its members in collective bargaining all the international/national constitutions contained provisions which would allow for the parent organization to take or hold such powers. Four of the international/national unions had broad discretion within the constitution to control their

local’s collective bargaining processes (Central Powers), with the USW being the only union to explicitly reserve this process for the international union: “Section 1. The International Union shall be the contracting party in all collective bargaining agreements and all such agreements shall be signed by the International Officers” (p. 15). Three had limited control (Central Power) and three shared the responsibilities. In all but one union, which did not provide provisions within the constitution, collective bargaining negotiations had to be either approved, negotiated by, or include a representative from the parent organization during the negotiation process.

Figure 5. Constitutional Provisions Allowing for Collective Bargaining by Subordinates

Union	COLLECTIVE BARGAINING
NEA	Shared
SEIU	Central Power
AFT	Central Power
IBT	Local Discretion
AFSCME	Shared
UFCW	Local Discretion
USW	Central Power
UAW	Shared
IAMAW	Central Power
IBEW	Local Discretion

Fig. 6 demonstrates that if and when an international/national union suspects, believes, or determines that a subordinate group is acting against the greater good of the larger organization as a whole, they retain the ability to take temporary control through *trusteeship* or *administration-ship* of the subordinate group until such time they believe they have reestablished proper organizational rules and processes. Six out of the ten unions in this study allow for just one person (International President) to have the power to decide prior to any council review or appeals process.

FIGURE 6. International/National union’s ability to take control of subordinate group

Union	TRUSTEESHIP/ SUSPENSION
NEA	Constitutional provisions
SEIU	International President
AFT	Committee
IBT	International President
AFSCME	International President
UFCW	Committee
USW	International President
UAW	Committee
IAMAW	International President
IBEW	International President

What the findings in Figure 7 indicate is that in all the international/national unions examined, the constitution of the international/national organization trumps all subordinate unions and affiliations.

My examination did not show any particular patterns among these organizations which stood out in such a way that would allow other labor organizations to model themselves after. Although the SEIU which has had a number of recent recruiting successes including the 1999 organizing drive of 74,000 home-care workers made up of low-wage workers, women, and minorities and is said to be the largest successful organizing drive for decades (Greenhouse,

1999) is structured in somewhat the same manner as the IAMAW which is struggling to make any meaningful gains in membership. The only difference as far as my research could determine is simply the type of workers being recruited. With regard to SEIU and IAMAW, assuming these two unions are properly classified, then my data "suggests" that I cannot make a strong inference about a union's ability to retain and expand its membership from its constitutional provisions (though, note too that IAMAW hasn't been hemorrhaging membership in the way that some unions have.) A question remaining unanswered is, would the IAMAW be just as successful at recruiting new members if manufacturing jobs return to the United States?

Figure 7. Constitutional Power

Union	CONSTITUTION/ BYLAWS
NEA	Goals and Objectives
SEIU	Subordinate w/Approval
AFT	Subordinate
IBT	National
AFSCME	Subordinate w/Approval
UFCW	National
USW	National
UAW	National
IAMAW	Subordinate w/Approval
IBEW	Subordinate w/Approval

But as unions continue to struggle in recruiting new members one can't help but believe that the actions of the parent organization that intervene in local matters and actively restrict their subordinates under lengthy and most often misleading constitutional documents, seems to be more crippling and destructive. I use the term *misleading* purposely, in that, although the

language in these documents are solidaristic in nature, they do not necessarily promote a singular voice among their members as much as they restrict the power of their members to give the internationals the control they need to promote their own interests. Union members pay a premium for allowing others to speak on their behalf, but when union leaders start acting unilaterally and not only speaking but also thinking on behalf of its members it starts to raise questions about the willingness to participate as well as the necessity of representation. The point here is that although my research could not fully answer my question “Do the formal internal union policy mechanisms available to navigate between union locals and their international’s interests hinder the recruitment of new members or the retention of current membership?” instead I believe that there is no one to one correspondence between membership and union constitutional provisions regarding democracy and solidarity. However, the changes in individual industries seems to be an important factor which reflects the ability of labor organizations to be able to recruit and retain members. When these changes in industry occur and if they are significantly pro-business the behavior by central administrations to tighten the controls over their members do not always reflect union’s desires of solidarity or democracy and may come across as counterproductive to organizing efforts thus affecting membership stability.

Figure 8: Key Union Provisions Reflecting Democracy, Solidarity and Centralization of Power

Union	PRE-AMBLE	AUTONOMY	GOVERNANCE/ JURISDICTION	COLLECTIVE BARGAINING	TRUSTEESHIP/ SUSPENSION	CONSTITUTION/ BYLAWS
NEA	Solidarity	Not Addressed	Shared	Shared	Constitutional provisions	Goals and Objectives
SEIU	Solidarity	Not Addressed	Controlled	Central Power	International President	Subordinate w/Approval
AFT	Neither	Not Addressed	Shared	Central Power	Committee	Subordinate
IBT	Both	Promotes	Not Addressed	Local Discretion	International President	National
AFSCME	Democracy	Not Addressed	Controlled	Shared	International President	Subordinate w/Approval
UFCW	Democracy	Vague	Controlled	Local Discretion	Committee	National
USW	Solidarity	Vague	Shared	Central Power	International President	National
UAW	Democracy	Restricts	Controlled	Shared	Committee	National
IAMAW	Solidarity	Not Addressed	Controlled	Central Power	International President	Subordinate w/Approval
IBEW	Solidarity	Restricts	Shared	Local Discretion	International President	Subordinate w/Approval

Looking beyond this study:

We may ask, was Stephen R. Lueke correct in his case study *Employer Strategies in a Changing Slow-Growth Economy: Dealing with Organized Labor: The Boeing Blueprint?* when he stated that “the hard-ball position taken in negotiations by Boeing would doubtless be studied and possibly copied” (Lueke, 2014) as a new way of dealing with organized labor. I would argue that his assessment of this being the Boeing blueprint for dealing with organized labor may not be accurate. In fact, the IAMAW may have taken a page from the collective bargaining agreement play-book that occurred during the 2011 NBA lockout. Matthew J. Parlow provides an in-depth analysis of that CBA. In his article *Lessons from the NBA Lockout: Union Democracy, Public Support, and the Folly of the National Basketball Players Association*, (NBPA), Parlow states, “By most accounts, the National Basketball Players Association—the union representing the players

in the NBA – conceded a significant amount of money and other contractual terms in the new ten—year collective bargaining agreement (2011 agreement) that ended the 2011 NBA lockout. . . The magnitude of such concessions, however, was startling . . . the resulting 2011 agreement -- [was] a near complete victory for the owners” (Parlow, 2014).

In his analysis Parlow credits poor intra-union communications and *a lack of union democracy* as two key factors which gave victory to the NBA owners. In his findings he writes “One reason for the NBPA’s poor intra-union communications may be its embrace of the elitist form of collective bargaining, where the leadership speaks on behalf of the entire union with minimal rank-and-file involvement. However, even in highly bureaucratic unions like the NBPA, there is a role for union democracy and member engagement . . . Indeed, the union leadership strategically excluded the rank-and-file players at key points in the negotiations” (Parlow, 2014). One could argue that the same lack of democracy, exclusion of the rank-and-file, and the elitist form of collective bargaining was taken by the leadership of the international branch of the IAM when it first entered into talks with Boeing without rank-and-file acknowledgement and then when it forced a second vote under the conditions that existed at that moment.

A commonality among five organizations that may warrant yet another perspective is in the area of Autonomy, why do some organizations not actively promote autonomy among locals, district, or other subordinate affiliations within their constitutions? Should local or district unions have greater control over their own destinies? Secondly, much like the NBPA’s elitist approach to collective bargaining, so to, was that of the international arm of the IAMAW’s when they decided to hold secret talks with Boeing prior to informing the rank-and-file members and then sticking to their agreement by standing shoulder to shoulder with

Boeing leadership against local 751 members. Should international/national union leadership be able to exclude its rank-and-file members when negotiating their futures?

.

Appendix:

Table A

Commonalities/Dissimilarities

National Union	Promote Autonomy	Jurisdiction/Governance	Collective Bargaining	Trusteeship/suspension
NEA	Yes	Local/Int.	Not specified	Yes
SEIU [^]	No	Int.	Int./consult loc.	Yes
AFT	No	Local/Int.	Not specified [*]	Robert's Rules
IBT	Yes	Local/Int.	Local/Int.	Yes
AFSCME	No	Int.	Members [†]	Yes
UFCW	Yes	Int.	Int.	Yes
USW	Yes	Int.	Int.	Yes
UAW	Yes	Local/Int./Pub.	Local/Regional	Yes
IAMAW [^]	No	Int.	Int./local _{w/rep}	Yes
IBEW	Yes	Int.	Local/Int. _{w/note}	Yes

Appendix cont.

Table B

Union membership as a percent of employed wage and salary workers by industry, 2004 and 2014 annual averages		
Industry	2004	2014
Private sector, total	7.9	6.6
Mining, quarrying, and oil and gas extraction	11.4	4.8
Construction	14.7	13.9
Manufacturing	12.9	9.7
Wholesale and retail trade	5.5	4.2
Transportation and utilities	24.9	20.1
Information⁽¹⁾	14.2	8.6
Financial activities	2.0	2.0
Professional and business services	2.3	2.3
Education and health services	8.3	8.2
Leisure and hospitality	3.1	3.2
Other services⁽¹⁾	2.8	2.9
Public sector, total	36.4	35.7
Federal government	29.9	27.5
State government	30.7	29.8
Local government	41.3	41.9
Footnotes:		
⁽¹⁾ Includes other industries, not shown separately.		

Appendix cont.

Table C

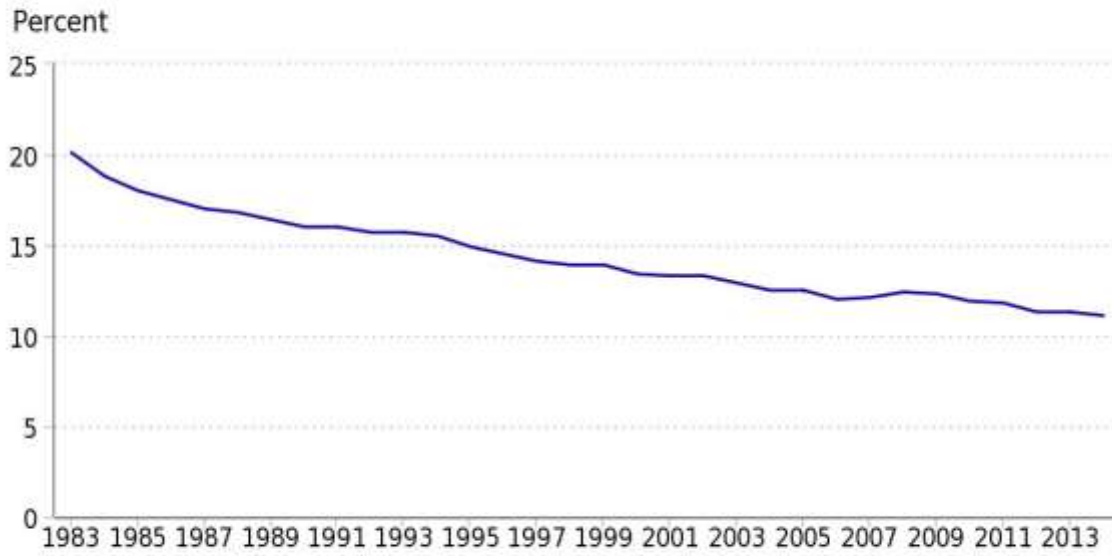
Labor Law:

Year	Law	Reason for	Effect
1932	Norris-LaGuardia Act (NLGA)	Help labor movement overcome management hostility.	Protected labor by limiting injunctions against striking employees
1935	Wagner Act (National Labor Relation Act)	Congress's response to prohibit employers from dominating labor organizations. Legally required employers to honor CBAs.	Between 1933 and 1945 the number of union members rose from under 3 million to more than fourteen million.
1947	Taft-Hartley Act	To balance Labor and Capital. By restricting the use of secondary boycotts.	Decline of the American Labor Movement. 1953 union membership began a steady decline.
1959	LMRDA (Landrum-Griffin Act) referred to as "Union Member Bill of Rights"	Combat corruption and racketeering by union leadership. By creating internal democracy within Labor Organizations.	Union membership continues to decline

Appendix cont.

Chart A:

**Union membership as a percent of employed wage and salary workers,
1983–2014 annual averages**



Hover over chart to view data.

Source: U.S. Bureau of Labor Statistics.

Appendix cont.

Chart B:

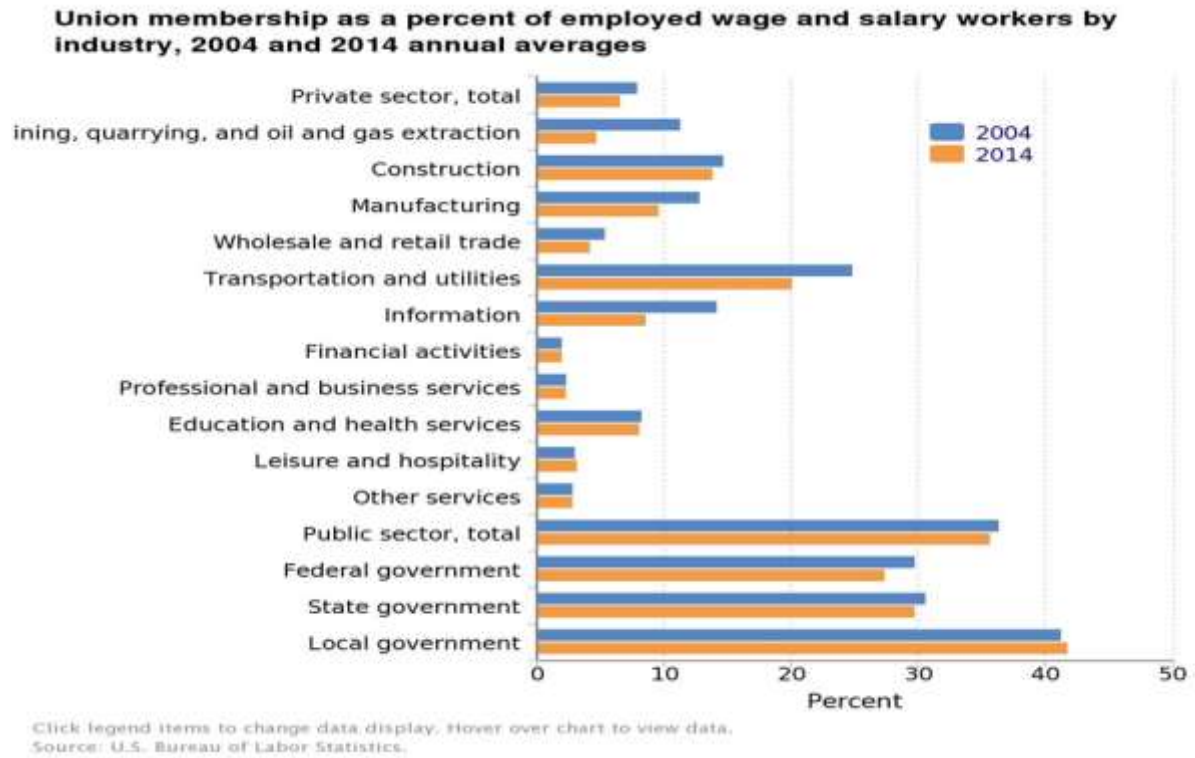
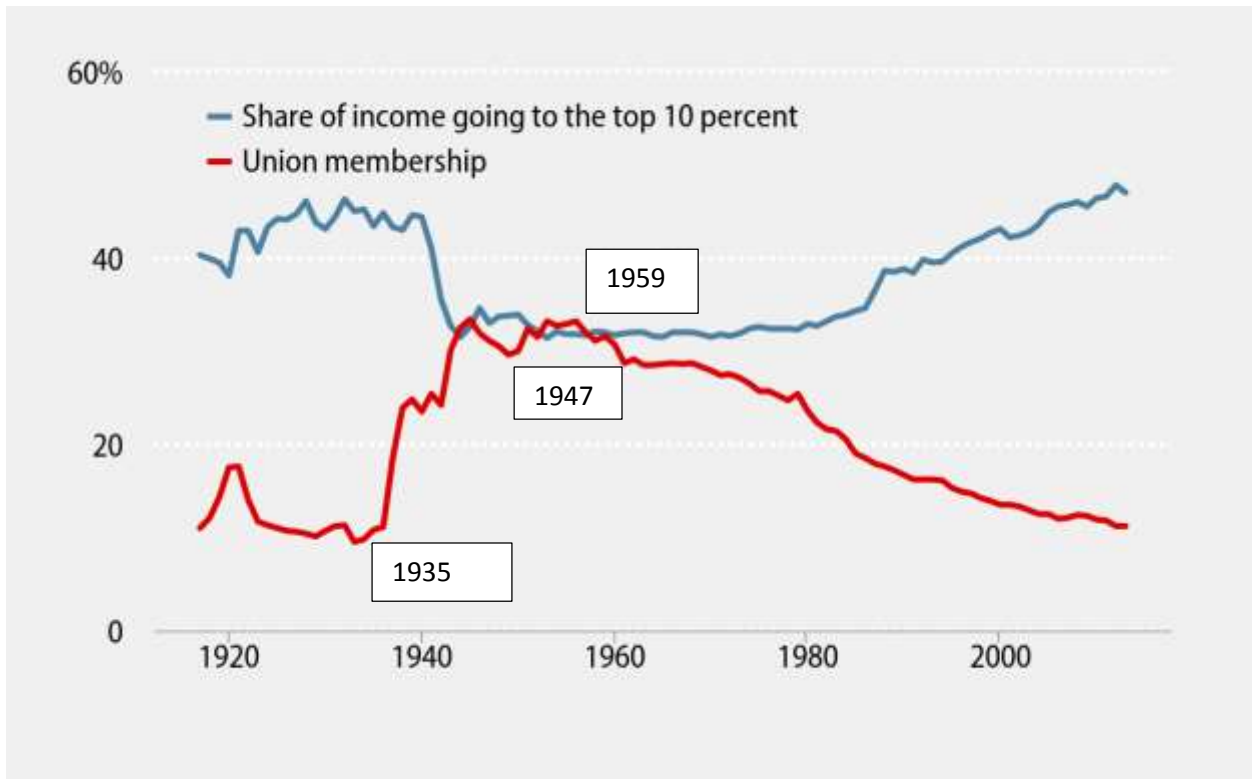


Chart C:



Appendix cont.

Word Chart created by ATLAS.ti:

WORDS	Length	NEA	SEIU	AFSCME	AFT	UFCW	IAM	IBEW	IBT	UAW	USW	Total Count
appoint	7	0	20	25	0	16	20	21	30	15	6	153
appointed	9	1	7	20	0	15	16	4	22	26	1	112
autonomous	10	0	0	0	0	1	0	0	1	1	1	4
autonomy	8	1	0	0	0	2	0	1	2	4	1	11
bargaining	10	1	24	28	1	62	15	7	51	63	23	275
believe	7	0	12	1	0	1	1	0	2	0	1	18
believes	8	0	7	0	0	4	1	0	6	4	2	24
benefit	7	0	4	8	0	15	18	49	10	0	0	104
benefits	8	1	10	2	0	34	54	57	77	0	4	239
board	5	65	192	307	0	303	7	65	480	682	174	2275
body	4	3	87	320	0	88	19	1	154	99	3	774
business	8	0	16	22	0	13	57	43	48	38	1	238
collective	10	1	17	20	1	49	12	6	35	32	12	185
collective bargaining	20	0	0	0	0	0	0	0	5	0	0	5
collectively	12	0	1	1	0	1	1	0	0	4	0	8
committee	9	39	36	145	0	132	119	23	107	261	59	921
conditions	10	1	12	12	0	10	11	7	29	31	7	120
conduct	7	0	11	34	0	38	24	5	44	32	19	207
conducted	9	0	5	20	0	31	6	0	34	11	5	112
conflict	8	1	3	4	0	10	3	13	6	0	1	41
conform	7	0	1	3	0	8	0	6	0	6	1	25
contract	8	0	2	4	0	26	3	1	19	23	1	79
convention	10	0	101	245	1	135	114	34	208	221	57	1116
conventions	11	0	11	29	0	32	21	7	26	31	21	178
council	7	0	8	214	0	1	33	54	145	143	0	598
councils	8	0	9	27	0	2	20	34	47	98	0	237
decision	8	3	38	50	0	48	39	27	73	86	17	381
decisions	9	0	5	30	0	13	11	11	43	27	5	145
democracy	9	0	1	2	1	3	0	0	1	5	1	14
democratic	10	0	5	5	0	6	0	0	4	21	3	44
democratically	14	0	3	0	0	0	0	0	1	4	0	8
determine	9	0	13	12	0	16	12	7	30	33	7	130

determined	10	1	14	26	0	34	12	7	27	18	5	144
elect	5	12	4	13	0	12	7	10	5	12	7	82
elected	7	18	23	74	0	39	37	14	63	105	25	398
election	8	29	33	112	0	163	75	41	132	190	71	846
elections	9	9	5	60	0	16	14	12	31	51	23	221
negotiate	9	0	1	1	0	0	0	0	2	3	0	7
negotiated	10	0	0	2	0	0	1	1	12	3	1	20
negotiates	10	0	0	0	0	0	0	0	1	1	0	2
negotiating	11	0	0	1	0	2	0	1	35	5	1	45
negotiation	11	0	0	0	0	0	1	0	5	2	0	8
negotiations	12	0	1	4	0	3	0	0	14	15	2	39
not	3	14	83	168	0	165	176	131	229	298	64	1328
obligate	8	0	1	0	0	0	0	0	0	1	0	2
obligated	9	0	1	2	0	0	1	0	5	9	0	18
obligation	10	0	20	19	0	10	11	11	17	18	2	108
obligations	11	0	8	9	0	38	3	2	44	11	8	123
office	6	22	49	115	0	115	92	50	146	0	53	642
officer	7	9	66	93	0	56	54	30	81	0	16	405
officerlists	12	0	0	0	0	0	0	0	1	0	0	1
officers	8	19	95	85	0	118	116	87	201	0	42	763
organization	12	3	31	21	0	24	21	14	52	32	25	223
organizational	14	0	1	2	0	1	0	0	1	11	2	18
organizations	13	1	16	15	0	3	10	3	24	5	3	80
organize	8	0	3	2	0	2	0	4	4	2	0	17
organized	9	1	2	3	0	0	9	7	11	10	2	45
organizer	9	0	1	0	0	0	4	0	9	4	0	18
organizers	10	0	2	1	0	0	11	0	14	8	2	38
organizing	10	0	35	22	1	3	13	3	11	5	12	105
participate	11	1	9	14	0	4	6	3	14	20	2	73
power	5	1	18	14	0	15	14	24	29	14	13	142
powers	6	4	11	2	0	6	7	1	28	19	2	80
president	9	17	144	303	2	261	68	57	320	191	115	1478
presidents	10	0	19	32	0	48	13	7	30	21	5	175
procedure	9	4	11	27	0	19	13	0	9	56	3	142
procedures	10	2	20	19	0	25	12	1	34	35	12	160
property	8	2	19	13	0	37	25	19	34	27	11	187

protest	7	0	16	11	0	2	0	1	23	25	1	79
provided	8	21	42	122	1	131	90	41	120	132	30	730
provision	9	1	20	21	0	15	5	12	32	14	9	129
provisions	10	1	20	66	0	48	61	17	83	72	20	388
purpose	7	2	18	34	0	13	42	4	33	52	5	203
purposes	8	8	26	24	1	22	11	9	7	21	5	134
require	7	0	8	13	0	8	21	13	11	19	8	101
required	8	6	40	67	0	62	66	31	43	65	18	398
requirement	11	0	13	8	0	7	5	3	9	13	2	60
requirements	12	0	24	24	0	19	19	2	31	34	7	160
responsibilities	16	0	13	11	0	16	1	1	4	6	4	56
shall	5	163	417	1090	0	864	902	626	1204	1240	451	6957
solidarity	10	0	3	0	0	0	1	0	0	12	0	16
strike	6	0	15	0	0	39	72	0	96	79	8	309
subject	7	3	23	63	0	54	49	23	61	85	20	381
subordinate	11	0	3	331	0	0	19	1	199	80	2	635
suspended	9	0	2	17	0	13	6	18	20	27	3	106
suspension	10	3	5	25	0	11	13	3	24	50	4	138
terms	5	16	12	38	0	22	11	7	30	10	9	155
together	8	1	3	5	0	5	27	5	5	13	2	66
trial	5	0	14	95	0	56	87	16	49	129	8	454
trustee	7	0	23	0	0	27	7	3	34	10	1	105
trustees	8	0	25	3	0	33	16	0	43	40	2	162
trusteeship	11	0	11	0	0	43	13	2	37	3	0	109
trusteeships	12	0	2	0	0	5	0	0	6	0	0	13
under	5	1	28	69	0	41	75	55	95	155	40	559
vote	4	17	38	57	0	88	131	59	110	190	53	743
voted	5	0	1	4	0	2	10	4	3	11	0	35
voter	5	0	0	4	0	3	3	0	0	1	3	14
voters	6	0	0	0	0	0	1	0	0	0	0	1
votes	5	0	7	29	0	26	25	13	38	33	24	195
voting	6	11	15	14	0	23	37	8	45	49	12	214

Appendix cont.

Constitution excerpts:

NEA - Preamble

“We, the members of the National Education Association of the United States, in order that the Association may serve as the national voice for education, advance the cause of public education for all individuals.”

SEIU – Preamble

“As almost every improvement in the condition of working people has been accomplished by the efforts of organized labor and as the welfare of wage, salary, and professional workers can best be protected and advanced by their united action in one International Union, we have organized the Service Employees International Union and have adopted the following Constitution:”

AFSCME – Preamble

“One of the fundamental tenets of democratic government is the consent of the governed. Unions are an extension of that idea. We are equally dedicated to exert ourselves, individually and collectively, to fulfill the promise of American life.”

UFCW – Preamble

“This International Union is created in order to elevate the social and economic status of workers and, further, to advance the principles and practice of freedom and democracy for all.”

IAM – Preamble

“We, the International Association of Machinists and Aerospace Workers, pledge ourselves to labor unitedly in behalf of the principles herein set forth, to perpetuate our Association on the basis of solidarity and justice, to expound its objects, to labor for the general adoption of its principles, to consistently endeavor to bring about a higher standard of living among the toiling masses.”

IBE – Declaration

“Our cause is the cause of human justice, human rights, human security. We will support our God, our Nations, [and] our Union.”

SIBT – Preamble

“As the local unions must reflect the interests of their members, so too must the International Union be responsive to the needs of the locals which brought it into existence. The local unions and the International recognize that the interests of the membership are at the core of their relationship. We reaffirm our belief that only through a strong democratically accountable Union can workers be protected and prosper and only with the allegiance of its members and the mutual support of united labor organizations can the Union survive.”

Appendix cont.

UAW – Preamble

“We hold these truths to be self-evident; expressive of the ideals and hopes of the workers who come under the jurisdiction of this INTERNATIONAL UNION, UNITED AUTOMOBILE, AEROSPACE AND AGRICULTURAL IMPLEMENT WORKERS OF AMERICA (UAW): “The precepts of democracy require that workers through their union participate meaningfully in making decisions affecting their welfare and that of the communities in which they live. Therefore, the UAW has the duty and responsibility to promote real and meaningful participatory democracy through its members and their families, so that free people and their institutions may be heard in the councils of government and so that officeholders are guided by principle alone”

USW – Objects

“First. To unite in this union all working men and working women eligible for membership. Fourth. To function as an autonomous International Union affiliated with other international unions in national and international federations in the United States, Canada and the free world; to unify and solidify the International Union, its Local Unions and the entire labor movement; and to provide financial and other aid and assistance to labor and other organizations in the United States, Canada and other parts of the world.”

Promote Autonomy

1. NEA
Secure professional autonomy. (p. 113) [only found in preamble]
2. SEIU
Not mentioned in constitution for subordinate bodies.
3. AFT
Not mentioned in constitution for subordinate bodies.
4. IBT
This Constitution recognizes and protects the autonomy, integrity, and identity of each indispensable part of this great Union—the members, the locals, and the International. It constitutes an agreement among equal partners who are united by and dedicated to the common goal of achieving social and economic justice for workers everywhere. (p. 1)
5. AFSCME
Not mentioned in constitution for subordinate bodies.
6. UFCW
The autonomy of the chartered body shall be suspended during the period of the trusteeship, except that membership votes shall be held where required under Articles 23 and 38 and as otherwise required under this Article. (p. 7)
7. USW
It shall be the policy of the International Executive Board to terminate an administratorship as soon as it deems practicable under all the circumstances. When the

Appendix cont.

International Executive Board determines to restore the autonomy of an administered Local Union. (p. 13)

8. UAW

In any case of suspension of officers, an election of new officers shall take place within sixty (60) days from date of order whereupon the subordinate body shall be returned its autonomy under this Constitution; unless circumstances which necessitate an extension of time, in which event the Executive Board during said administratorship may specifically extend this period for a total of no more than one hundred twenty (120) additional days. The conduct of all elections during an administratorship shall be the responsibility of the administrator. (p. 32)

Section 15. Local Unions, District Councils organized pursuant to Article 34, Family Auxiliaries and Community Action Program (CAP) Councils shall be the only chartered subordinate bodies of this International Union. All other subordinate bodies of the International Union which may at any time exist shall not be chartered and shall have no autonomy under this Constitution, but shall exist upon the authority of, and be generally supervised by and responsible to, the International Executive Board. (p. 102)

9. IAMAW

Not mentioned in constitution for subordinate bodies.

10. IBEW

Sec. 5. Traveling cards may not be deposited in any L.U. which does not include the type of membership for which the card was issued, unless the member transfers to a type of membership covered by the L.U. In such case he shall be given credit for the last initiation fee he paid. Nor may a traveling card be deposited in a L.U. by a member of another L.U. wishing to transfer his membership, until and unless that member has been accepted by the L.U. into which he wishes to transfer Each L.U. shall have full autonomy to accept or reject all requests for transfers. (Except as provided in Section 10.). p. 66)

Governance/Jurisdiction

1. NEA

Section 3. Governance.

The Association shall be governed by its Charter, this Constitution, the Bylaws, the Standing Rules, and such other actions as the Representative Assembly, the Board of Directors, and the Executive Committee may take consistent therewith. (p. 113)

2. SEIU

Section 2(a). The International Union shall have jurisdiction over the Local Unions and their members and over all affiliated bodies. (p. 4)

3. AFT

The executive council shall have power to allocate and define and, from time to time, redefine and reallocate the jurisdictions within which locals may exercise their jurisdictions. In doing so, the executive council shall be guided by the primary purpose of the American Federation of Teachers, which is to organize teachers and other

Appendix cont.

workers into strong, effective unions for the purpose of achieving and engaging in collective bargaining. (p. 5)

4. IBT

5. AFSCME

Section 7. The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the Federation in all cases to which they are applicable and in which they are not inconsistent with this Constitution or with any legally adopted special rules of the Federation. (p. 132)

6. UFCW

Duties and Obligations

(A) Every member of this International Union agrees, in consideration of the rights and benefits conferred pursuant to the terms of this Constitution, to comply with the duties and obligations stated in this Article and that termination of membership shall not terminate liability for violations of such duties and obligations occurring during the period of his or her membership.

(B) No member may be disciplined, except for violating his or her duties and obligations by committing any one or more of the following offenses:

1. Violating any provisions of the Constitution or laws of the International Union or the approved bylaws or established rules of the member's Local Union;
2. Advocating or attempting to bring about the withdrawal from the International Union of any Local Union or any member or group of members, and/or working in the interest of or accepting membership in any organization dual to the International Union;
3. Deliberately and improperly interfering with any officer or representative of the International Union or any Local Union in the discharge of his or her duties, or with the performance of the legal or contractual rights or obligations of the International Union or any of its Local Unions;
4. Deliberately engaging in conduct in violation of the responsibility of members toward the Union as an institution;
5. In the case of any officer or representative of the International Union or of any Local Union, failing to faithfully perform the duties of his or her office or position, accepting dual compensation or expenses for the performance of duties related to his or her office or position, or embezzling, misappropriating, fraudulently receiving, wrongfully handling, or failing to account for the funds of the International Union, a Local Union, or any employee benefit fund.

(C) Any member may be charged, tried, and disciplined for violation of any of the above offenses, or for offenses set forth in the Local Union bylaws, in accordance with the procedures provided for in this Constitution. (p. 18)

7. USW

ARTICLE VII Local Unions

Section 4. The Local Unions shall be charged with the duty of enforcing this Constitution as affecting their membership. The funds and property of the Local Union shall be

Appendix cont.

managed, invested, expended or otherwise used to implement and carry out the objects, rights, activities and responsibilities of the Local Union or the International Union, and to administer the affairs of the Local Union, in accordance with the Constitution and policies of the International Union and the By-Laws of the Local Union. (p. 12)

8. UAW

The International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), shall take in and hold jurisdiction over all employees in workplaces engaged in the manufacture of parts (including tools, dies, etc.), and the assembly of these parts into farm, automobile, automotive propelled products, aerospace and agricultural implements, including employees engaged in office work, sales, distribution and maintenance thereof.

Its jurisdiction shall also encompass service, technical, office and/or professional workplaces, whether public or private, and gaming establishments and others as the International Executive Board shall decide. The jurisdiction of this International Union shall be full and final. (p. 7)

9. IAMAW

SEC. 2. The G.L. shall consist of E.C. and the representatives of L.Ls. who are duly elected, qualified and seated as delegates in the quadrennial and special conventions provided for in Art. II of this Constitution. It shall have power to grant charters for the purpose of organizing supervising, controlling, and generally directing L.Ls., D.Ls., councils and conferences in any state, territory, or dependency of the United States of America, and Canada. (p. 1)

10. IBEW

Therefore, the classifications and divisions outlined below are necessarily of a general nature, and L.U.'s whose jurisdiction with other L.U.'s of the I.B.E.W., or whose agreements are harmonious and conducive to the progress of the I.B.E.W., shall not be disturbed. But when harmony and progress do not prevail, or when disputes arise, the I.P. shall determine what L.U. will do certain work or jobs, consistent with the progress and best interests of the I.B.E.W. in obtaining and controlling the work in question. (p. 79)

Collective Bargaining

1. NEA

Promote, support and defend public employees' right to collective bargaining. (p. 113) [only found in Preamble]

2. SEIU

(f). Consistent with the programs and policies adopted by the SEIU Convention delegates, the International President shall be empowered to negotiate and enter into national, regional, or area wide collective bargaining agreements, including companywide or multiemployer agreements, and to coordinate activities toward this end in consultation with the Local Unions involved, and is authorized to require and direct coordinated bargaining among Local Unions. An industry division of the International Union also may recommend to the International President

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situations in which coordinated bargaining is warranted or where a comprehensive union wide strategy of employer relations is needed for key strategic global, national or regional employers. Accordingly, the industry divisions shall develop a process to identify such circumstances and in each case, the proposed structure for carrying out the decision-making (including membership authorization for strike action and membership voting on contract ratification), and the financing of the bargaining process itself. The division's recommendation shall address whether there is a need for the delegation of bargaining authority to the International Union or to a national or regional bargaining committee, appointed by the International President. The affected locals shall pay for the expenses of their participation after their input into the elements of such financing. (p. 13-14)

3. AFT

The American Federation of Teachers is a union of professionals that champions fairness; democracy; economic opportunity; and high-quality public education, healthcare and public services for our students, their families and our communities. We are committed to advancing these principles through community engagement, organizing, collective bargaining and political activism, and especially through the work our members do. (Only found on title page)

4. IBT

(b). Local Unions shall not adopt Bylaws or take any action which would impair their ability to meet their financial obligations to the International Union and its subordinate bodies or interfere with the discharge of their obligations to their members in the negotiation and administration of collective bargaining agreements and in conducting the affairs of the Local Union as a solvent organization. (p. 43)

5. AFSCME

Section 28. In any case where a multi-state employer conducts operations within the jurisdiction of more than one council or unaffiliated local and more than one council or unaffiliated local has a collective bargaining relationship with such employer, the International President, subject to the approval of the International Executive Board, may, if it is determined that the interests of the affected employees will be served by such action, establish a national bargaining committee covering all affiliates having a collective bargaining relationship with such employer.(p. 94)

6. UFCW

ARTICLE 23

Collective Bargaining Contracts

(A) The terms of proposed collective bargaining contracts or proposals for renewal or any modifications of existing contracts, whether proposed by the employer or the Local Union, shall be submitted to the International President, upon his or her request, for review prior to any membership action thereon. Such review shall be for the purposes of determining whether the aforementioned terms conform to the applicable established policies, practices, and objectives of the International Union, including any strategic bargaining plans adopted by the International Union, relating to wages, hours, and other working conditions, either in the locality involved or nationally, and enabling the International Union to discharge its obligations in the event such proposed terms are found to be injurious to the best interests of the membership of other Local Unions or the International Union. If the International President exercises his or her authority under this paragraph, terms of proposed collective bargaining contracts or proposals for renewal or any modifications of existing contracts shall not be submitted to the membership for its action pending completion of review or following any disapproval by the International President. Any membership action on the aforementioned terms or proposals pending

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completion of review or following any disapproval by the International President shall be void and without effect. (p. 16)

7. USW

Section 1. The International Union shall be the contracting party in all collective bargaining agreements and all such agreements shall be signed by the International Officers. (p. 15)

8. UAW

Section 25. The International Executive Board Member shall examine all contracts negotiated within her/his region before they are signed and submit them to the International Executive Board with her/his recommendation, negotiate disputes with the bargaining committees wherever possible, act to obtain favorable legislation for labor and work for the general welfare of the membership. (p. 39-40)

Section 1. In cases where there are a number of Local Unions involved in negotiations and bargaining with a major corporation or an association of corporations, the International Executive Board shall set up an Intra-Corporation Council. Such an Intra-Corporation Council shall be an administrative arm of the International Union and not a subordinate body. Such Local Unions so involved shall be members and shall participate through duly elected delegates. When the large corporation or national association has widely scattered branches, the Intra-Corporation Council shall set up Sub-Corporation Councils. (p. 58)

9. IAMAW

Whenever the I.P. has or receives information which leads him/her to believe that such organization: (1) is violating the Constitution, the laws, policies, rules and regulations of the G.L., or the bylaws of such L.L., D.L., council or conference approved by him/her or the E.C.; (2) is endangering the good and welfare of the organization or the membership; (3) is being operated in such a manner as to jeopardize the interests of the I.A.M. or its subordinate bodies; or (4) if the I.P. believes that such action is necessary for the purpose of: (a) correcting financial malpractice; (b) assuring the performance of collective bargaining agreements or other duties of the bargaining representative; (c) preventing any action which is disruptive of, or interferes with, the performance of obligations of other members or subordinate bodies under collective bargaining agreements; (d) restoring democratic procedures; or (e) carrying out the legitimate objectives of this Union. (p. 34-35)

10. IBEW

Approval of L.U. collective bargaining agreements by the I.P. does not make the International a party to such agreements unless the I.P. specifically states in writing that the International is a party to any such agreement. Sec. 7. This Constitution and the rules herein shall be considered a part of all L.U. bylaws and shall be absolutely binding on each and every L.U. member. (p. 42)

Trusteeship/Suspension

1. NEA

Section 5. Standards and Procedures for Affiliation. Affiliates which fail to comply with standards and procedures set forth in the Bylaws shall be subject to censure, suspension, or disaffiliation as prescribed in this Constitution. (p. 123)

2. SEIU

Section 7(a). Whenever the International President has reason to believe that, in order to protect the interests of the membership, it is necessary to appoint a Trustee for the purpose of correcting corruption or financial malpractice, assuring the performance of collective bargaining

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agreements or other duties of a bargaining representative, restoring democratic procedures, or otherwise carrying out the legitimate objects of this International Union, he or she may appoint such Trustee to take charge and control of the affairs of a Local Union or of an affiliated body and such appointment shall have the effect of removing the officers of the Local Union or affiliated body. (p. 15)

3. AFT

Section 15. (c) Emergency Administratorship. Under grounds to Article VI, section 15(a), the AFT president, upon the unanimous decision of the AFT president, secretary-treasurer and executive vice president, is authorized to invoke an emergency administratorship in situations requiring immediate action for the purpose of securing and safeguarding an affiliate's assets and vital records from immediate threat, provided that the executive council by a two-thirds vote approves such emergency action within five business days of its having been invoked. (p. 9)

4. IBT

Section 5(a). If the General President has or receives information which leads him to believe that any of the officers of a Local Union or other subordinate body are dishonest or incompetent, or that such organization is not being conducted in accordance with the Constitution and laws of the International Union or for the benefit of the membership, or is being conducted in such a manner as to jeopardize the interests of the International Union or its subordinate bodies, or if the General President believes that such action is necessary for the purpose of correcting corruption or financial malpractice, assuring the performance of collective bargaining agreements or other duties of a bargaining representative, restoring democratic procedures or preventing any action which is disruptive of, or interferes with the performance of obligations of other members or Local Unions under collective bargaining agreements, or otherwise carrying out legitimate objects of the subordinate body, he may appoint a temporary Trustee to take charge and control of the affairs of such Local Union or other subordinate body; provided, however, that before the appointment of such temporary Trustee, the General President shall set a time and place for a hearing for the purpose of determining whether such temporary Trustee shall be appointed; and further provided that where, in the judgment of the General President, an emergency situation exists within the Local Union or other subordinate body, the temporary Trustee may be appointed prior to such hearing, but such hearing shall then commence within thirty (30) days and decision made within sixty (60) days after furnishing of the transcript of testimony; (p. 44)

5. AFSCME

Section 13. Notwithstanding any other provision of this Constitution, the International President shall have the authority to order the immediate suspension, pending full investigation, of officers and staff employees of any subordinate body who, in the opinion of the International President, are engaged in conduct imminently dangerous to the welfare of the International Union or a subordinate body. (p. 46)

Section 37. If the International President shall find (1) that a subordinate body has seceded or purported to secede, or (2) that dissolution or secession of a subordinate body is threatened, or (3) that dissipation or loss of the funds or assets of a subordinate body is threatened, or (4) that the subordinate body has deliberately filed false per capita tax or other financial or audit reports with the International Union, or (5) that a subordinate body interferes publicly with the organizing campaign of another subordinate body, or (6) that a subordinate body is acting in violation of this Constitution or of any lawful order of the Convention, the International Executive Board, or the International President, so that in the opinion of the International

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President an emergency situation exists, the International President is empowered to place such subordinate body under administratorship pending notice and hearing. (p. 103)

6. UFCW

(F) 1. A trusteeship may be imposed by the International Union upon a chartered body to correct corruption or financial malpractice, including mishandling or endangering Union funds or property, or the funds or property of any trust in which the Union has an interest; assure the performance of collective bargaining agreements or other duties of a bargaining representative; restore democratic procedures; or otherwise carry out the legitimate objectives of the International Union, including the proper administration of the finances and other affairs of the chartered body and the enforcement of compliance with federal, state, or provincial law, the Constitution or laws of the International Union, the approved bylaws of the chartered body, or the rules, decisions, or orders of the International Executive Board, the International Executive Committee, or International officers made within the scope of their authority under this Constitution. Whenever in the judgment of the International Executive Committee such action is required, it shall have the power to place such chartered body in trusteeship or take such other temporary action as it deems necessary, provided that any such action shall not be authorized in Canada unless concurred in by a majority of the International officers in Canada. Within 30 days following the imposition of a trusteeship, a hearing shall commence to determine whether the trusteeship is justified and shall be continued. (p. 6-7)

7. USW

Section 3. Notwithstanding anything to the contrary herein, in case of emergency, where in the opinion of the International President the best interests of the International Union or Local Union require, the International President is empowered to suspend officers of, and establish an administratorship over, the affairs and property of a Local Union prior to notice and hearing. In such cases notice shall be given and a hearing as specified above shall be conducted within sixty (60) days following the emergency action. (p.13)

8. UAW

Section 3. Where necessary to: (a) prevent or correct corruption or financial malpractice; (b) assure the performance of collective bargaining agreements or other duties as a bargaining representative; (c) restore democratic procedures within any chartered subordinate body; or, (d) otherwise assure carrying out the legitimate objectives of this International Union by such subordinate body, the International Executive Board by a two-thirds (2/3) vote of the entire Executive Board may, after a hearing, reorganize or disband the chartered subordinate body, revoke the charter, suspend any officer or officers from office and/or take over supervision of the chartered subordinate body until its affairs have been properly adjusted. In such event, the Board shall designate one of its members as administrator who shall have full authority over and supervision of all functions of the Local Union and may suspend any or all officers and officials of the Local Union and take over their functions either as directed by the Board or in her/his own discretion where s/he believes it necessary to accomplish the purposes of the administratorship. The administrator may utilize such staff assistants as s/he deems advisable to assist in supervising the affairs of the Local Union. (p. 30-31)

9. IAMAW

SEC. 8. A suspension or trusteeship of a L.L., D.L., council or conference may be imposed whenever the I.P. has or receives information which leads him/her to believe that such organization: (1) is violating the Constitution, the laws, policies, rules and regulations of the G.L., or the

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bylaws of such L.L., D.L., council or conference approved by him/her or the E.C.; (2) is endangering the good and welfare of the organization or the membership; (3) is being operated in such a manner as to jeopardize the interests of the I.A.M. or its subordinate bodies; or (4) if the I.P. believes that such action is necessary for the purpose of: (a) correcting financial malpractice; (b) assuring the performance of collective bargaining agreements or other duties of the bargaining representative; (c) preventing any action which is disruptive of, or interferes with, the performance of obligations of other members or subordinate bodies under collective bargaining agreements; (d) restoring democratic procedures; or (e) carrying out the legitimate objectives of this Union. (p. 34-35)

10. IBEW

Sec. 3. The I.P. is empowered as follows:

To take charge of, i.e., impose a trusteeship on, the affairs of any L.U. when in his judgment such is necessary to protect or advance the interests of its members and the I.B.E.W., but for a period not to exceed six (6) months. If the I.P. or his representative cannot or has not adjusted the affairs of the L.U. involved at the end of this period, then he shall refer the entire case to the I.E.C. which shall render a decision at its next regular meeting. The I.P. may suspend any local officer or member who offers interference in such cases. (p. 15-16)

Constitutions and Bylaws

1. NEA

Section 2. Goals and Objectives. The goals of the Association shall be as stated in the Preamble. The Association shall have all power necessary and proper to take action for the attainment of these goals. Nothing in this Constitution or in the Bylaws shall be construed to prevent the Association from pursuing objectives which are consistent with the stated goals of the Association. (p. 113)

2. SEIU

Section 3. The Constitution and Bylaws of all Local Unions and affiliated bodies and amendments thereto must be submitted to the International Union and be approved before they become valid; provided, however, that notwithstanding such approval, the Constitution and Bylaws of all Local Unions and affiliated bodies shall at all times be subordinate to the Constitution and Bylaws of the International Union as it may be amended from time to time. (p. 27)

3. AFT

Section 5. All locals and state federations shall submit one digital copy of their constitution and bylaws by electronic means to the national organization within three months of receiving their charter. Affiliates shall similarly submit all subsequently amended constitutions and bylaws. No such constitution or bylaws shall be in conflict with the constitution of the American Federation of Teachers. (p. 4)

4. IBT

Section 2(a). Any person shall be eligible to membership in this organization upon compliance with the requirements of this Constitution and the rulings of the General Executive Board. Each person upon becoming a member thereby pledges his honor; to faithfully observe the Constitution and laws of the International Brotherhood of Teamsters, and the Bylaws and laws of his Local Union; to comply with all rules and regulations for the government of the International Union and his Local Union; (p. 7)

5. AFSCME

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Section 16. Any local union which, at the time of the adoption of this provision, is governed by a local union constitution which has been approved in writing by the International President may continue to be governed by such constitution, subject to the further provisions of this Constitution. Any local union which, at the time of the adoption of this provision, is not governed by a local union constitution which has been approved in writing by the International President, and any local union which shall be chartered after the adoption of this provision, shall be governed by the provisions of the Constitution for Local Unions contained in Appendix C of this Constitution. (p. 87)

6. UFCW

All Local Unions shall be required to abide by and conform with all of the provisions of the Constitution and laws of the International Union. (p. 24)

7. USW

This Organization shall be known as the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union (to be known in short as the "United Steelworkers" and by the acronym "USW"). This document shall be known as the Constitution and By Laws of the International Union and it shall also be the Constitution of each Local Union chartered by the International Union. (p. 79)

8. UAW

This Organization shall be known as the "International Union, UNITED AUTOMOBILE, AEROSPACE AND AGRICULTURAL IMPLEMENT WORKERS OF AMERICA (UAW)," hereinafter referred to as the International Union. This document shall be officially known as the Constitution and Bylaws of said International Union, and it shall also be the Constitution of every affiliated subordinate body. (p. 5)

9. IAMAW

All L.Ls., D.Ls., councils and conferences may adopt bylaws supplementary to this Constitution for the conduct of their subordinate internal affairs and business; provided, however, that none of the provisions of such bylaws shall be in conflict with any of the provisions of this Constitution, duly adopted resolutions, or the established policies of the I.A.M., and must be submitted to the I.P. for examination and necessary revision and approval before becoming effective. Any proposed amendments, revisions, or modifications to such bylaws shall likewise be submitted to the I.P. for examination and necessary revision and approval prior to becoming effective. (p. 2)

10. IBEW

Sec. 9. Any employee engaged in work coming under the jurisdiction of I.B.E.W. charters, as above indicated and as interpreted by the I.P. may become a member of any L.U. subject to all the provisions of the Constitution. (p. 38)

Sec. 6. Each council shall adopt bylaws and rules to meet the needs of, or to protect and advance the interests of the I.B.E.W. on railroads. Such bylaws or rules shall in no way conflict with this Constitution. Where any doubt appears this Constitution shall be supreme. All bylaws, amendments or rules, all agreements, jurisdiction, etc., of any and all kinds, shall be submitted in duplicate form to the I.P. for his approval. (p. 39)

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